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प्रसाधारण

EXTRAORDINARY

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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 14th March, 1968:—

BILL No. 17 OF 1968

A Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1968-69.

Be it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. This Act may be called the Appropriation (Vote on Account) Short Act, 1968. title.

With-
drawal
of Rs.
29,40,75,
42,000
from and
out of the
Consoli-
dated
Fund of
India for
the
financial
year
1968-69.

2. From and out of the Consolidated Fund of India there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of two thousand nine hundred and forty crores, seventy-five lakhs and forty-two thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1968-69.

5

Appro-
priation.

3. The sums authorised to be withdrawn from and out of the Consolidated Fund by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

1		2	3		
5	No. of Vote	Services and purposes	Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
10	1	Ministry of Commerce	7,78,000	..	7,78,000
	2	Foreign Trade	13,89,33,000	1,000	13,89,34,000
	3	Other Revenue Expenditure of the Ministry of Commerce	3,38,04,000	..	3,38,04,000
	4	Ministry of Defence	14,71,000	..	14,71,000
15	5	*Defence Services—Effective	1,52,50,67,000	1,67,000	1,52,52,34,000
		*Details as in Annexure.			
	6	Defence Services—Non-effective	4,70,83,000	..	4,70,83,000
	7	Ministry of Education	16,27,000	..	16,27,000
	8	Education	9,51,69,000	..	9,51,69,000
20	9	Archaeology	22,89,000	..	22,89,000
	10	Survey of India	89,74,000	..	89,74,000
	11	Grants to the Council of Scientific and Industrial Research	3,18,42,000	..	3,18,42,000
25	12	Other Revenue Expenditure of the Ministry of Education	59,14,000	..	59,14,000
	13	External Affairs	2,98,86,000	..	2,98,86,000
	14	Other Revenue Expenditure of the Ministry of External Affairs	3,34,22,000	..	3,34,22,000
30	15	Ministry of Finance	46,44,000	..	46,44,000

1	2	3		
No. of Vote	Service and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
16	Customs	1,15,33,000	8,000	1,15,41,000
17	Union Excise Duties	2,69,65,000	8,000	2,69,73,000
18	Taxes on Income including Corporation Tax, etc.	2,15,80,000	19,000	2,15,99,000
19	Stamps	89,71,000	..	89,71,000
20	Audit	3,75,83,000	5,78,000	3,81,61,000
21	Currency and Coinage	2,53,96,000	..	2,53,96,000
22	Mint	65,91,000	..	65,91,000
23	Kolar Gold Mines	90,94,000	..	90,94,000
24	Pensions and other Retirement Benefits	1,65,75,000	5,16,000	1,70,90,000
25	Opium	2,50,07,000	..	2,50,07,000
26	Other Revenue Expenditure of the Ministry of Finance	6,80,83,000	29,000	6,81,12,000
27	Grants-in-aid to State and Union Territory Governments	55,96,48,000	37,61,70,000	93,58,18,000
28	Miscellaneous Adjustments between the Central, State and Union Territory Governments	4,70,000	..	4,70,000
29	Pre-partition Payments	44,000	1,16,000	1,60,000
	CHARGED.—Interest on Debt and other obligations and Reduction or Avoidance of Debt	90,89,33,000	90,89,33,000
	CHARGED.—Payment of States' Share of Union Excise Duties	22,29,40,000	22,29,40,000
30	Ministry of Food, Agriculture, Community Development and Co-operation	27,01,000	..	27,01,000
31	Agriculture	1,72,79,000	..	1,72,79,000
32	Payments to Indian Council of Agricultural Research	2,42,87,000	..	2,42,87,000
33	Forest	27,76,000	..	27,76,000

1	2	3		
		Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
5		Rs.	Rs.	Rs.
10	34 Other Revenue Expenditure of the Ministry of Food, Agriculture, Community Development and Co-operation	4,15,95,000	4,91,000	4,20,86,000
	35 Ministry of Health, Family Planning and Urban Development	6,82,000	..	6,82,000
15	36 Medical and Public Health	3,84,14,000	..	3,84,14,000
	37 Other Revenue Expenditure of the Ministry of Health, Family Planning and Urban Development	16,47,000	..	16,47,000
20	38 Ministry of Home Affairs	24,81,000	..	24,81,000
	39 Cabinet	11,17,000	..	11,17,000
	40 Administration of Justice	42,000	4,42,000	4,84,000
	41 Police	7,58,84,000	..	7,58,84,000
	42 Census	21,91,000	..	21,91,000
	43 Statistics	58,97,000	..	58,97,000
25	44 Privy Purses and Allowances of Indian Rulers	44,000	1,20,30,000	1,20,74,000
	45 Territorial and Political Pensions	3,13,000	..	3,13,000
	46 Delhi	6,22,58,000	2,41,000	6,24,99,000
	47 Chandigarh	99,64,000	3,76,000	1,03,40,000
30	48 Andaman and Nicobar Islands	1,19,38,000	..	1,19,38,000
	49 Tribal Areas	4,11,30,000	..	4,11,30,000
	50 Dadra and Nagar Haveli Area	9,39,000	..	9,39,000
	51 Laccadive, Minicoy and Amin-divi Islands	17,98,000	..	17,98,000
35	52 Other Revenue Expenditure of the Ministry of Home Affairs	1,79,08,000	..	1,79,08,000
	53 Ministry of Industrial Development and Company Affairs	13,21,000	..	13,21,000
40	54 Industries	73,24,000	1,67,000	74,91,000
	55 Salt	10,02,000	..	10,02,000

1	2	3			
No. of Vote	Services and purposes	Sums not exceeding			5
		Voted by Parliament	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
56	Other Revenue Expenditure of the Ministry of Industrial Development and Company Affairs	18,97,000	..	18,97,000	10
57	Ministry of Information and Broadcasting	3,49,000	..	3,49,000	
58	Broadcasting	1,69,16,000	..	1,69,16,000	15
59	Other Revenue Expenditure of the Ministry of Information and Broadcasting	1,01,02,000	..	1,01,02,000	
60	Ministry of Irrigation and Power	5,92,000	..	5,92,000	
61	Multi-purpose River Schemes	37,61,000	..	37,61,000	
62	Other Revenue Expenditure of the Ministry of Irrigation and Power	1,43,09,000	..	1,43,09,000	20
63	Ministry of Labour, Employment and Rehabilitation	13,62,000	..	13,62,000	
64	Director General, Mines Safety	8,87,000	..	8,87,000	25
65	Labour and Employment	2,53,10,000	1,000	2,53,11,000	
66	Expenditure on Displaced Persons	2,14,71,000	7,000	2,14,78,000	
67	Other Revenue Expenditure of the Ministry of Labour, Employment and Rehabilitation	3,03,000	..	3,03,000	30
68	Ministry of Law	11,47,000	..	11,47,000	
69	Other Revenue Expenditure of the Ministry of Law	27,22,000	..	27,22,000	
70	Ministry of Petroleum and Chemicals	4,80,000	..	4,80,000	35
71	Other Revenue Expenditure of the Ministry of Petroleum and Chemicals	14,21,000	..	14,21,000	
72	Ministry of Steel, Mines and Metals	6,63,000	..	6,63,000	40
73	Geological Survey	1,83,48,000	..	1,83,48,000	
74	Other Revenue Expenditure of the Ministry of Steel, Mines and Metals	2,91,97,000	29,000	2,92,26,000	45

1	2	3		
		Sums not exceeding		
No. of Vote	Services and purposes	Voted by Parliament	Charged on the Consolidated Fund	Total
5		Rs.	Rs.	Rs.
75	Ministry of Tourism and Civil Aviation	3,25,000	.	3,25,000
76	Meteorology	62,50,000	..	62,50,000
10 77	Aviation	2,02,17,000	..	2,02,17,000
78	Other Revenue Expenditure of the Ministry of Tourism and Civil Aviation	36,55,000	.	36,55,000
15 79	Ministry of Transport and Shipping	22,46,000	..	22,46,000
80	Roads	2,55,68,000	..	2,55,68,000
81	Mercantile Marine	39,73,000	..	39,73,000
82	Lighthouses and Lightships	23,23,000	..	23,23,000
20 83	Other Revenue Expenditure of the Ministry of Transport and Shipping	64,84,000	..	64,84,000
84	Ministry of Works, Housing and Supply	18,61,000	..	18,61,000
85	Public Works	6,56,64,000	7,66,000	6,64,30,000
25 86	Stationery and Printing	2,24,43,000	..	2,24,43,000
87	Supplies and Disposals	69,75,000	..	69,75,000
88	Other Revenue Expenditure of the Ministry of Works, Housing and Supply	31,87,000	33,000	32,20,000
30 89	Department of Atomic Energy	5,04,000	..	5,04,000
90	Other Revenue Expenditure of the Department of Atomic Energy	2,80,51,000	..	2,80,51,000
91	Department of Communications	2,33,000	..	2,33,000
35 92	Overseas Communications Service	45,90,000	..	45,90,000
93	Posts and Telegraphs (Working Expenses)	34,31,31,000	2,000	34,31,33,000
40 94	Posts and Telegraphs—Dividend to General Revenues, Appropriations to Reserve Funds and Repayment of Loans from General Revenues	4,72,03,000	..	4,72,03,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total 5
		Rs.	Rs.	Rs.
95	Other Revenue Expenditure of the Department of Communications	5,75,000	..	5,75,000 10
96	Department of Parliamentary Affairs	1,10,000	..	1,10,000
97	Department of Social Welfare	3,10,000	..	3,10,000
98	Other Revenue Expenditure of the Department of Social Welfare	66,97,000	.	66,97,000 15
99	Planning Commission	26,50,000	..	26,50,000
100	Lok Sabha	26,63,000	12,000	26,75,000
101	Rajya Sabha	9,80,000	12,000	9,92,000
	<i>CHARGED.—Staff, Household and Allowances of the President</i>	..	6,16,000	6,16,000 20
102	Secretariat of the Vice-President	49,000	..	49,000
	<i>CHARGED.—Union Public Service Commission</i>	..	14,49,000	14,49,000 25
103	Capital Outlay of the Ministry of Commerce	11,49,000	..	11,49,000
104	Defence Capital Outlay	21,75,83,000	5,84,000	21,81,67,000
105	Capital Outlay of the Ministry of Education	11,05,000	..	11,05,000 30
106	Capital Outlay on the India Security Press	7,87,000	..	7,87,000
107	Capital Outlay on Currency and Coinage	3,26,59,000	..	3,26,59,000
108	Capital Outlay on Mints	13,14,000	..	13,14,000 35
109	Capital Outlay on Kolar Gold Mines	19,04,000	..	19,04,000
110	Commuted Value of Pensions	80,08,000	25,000	80,33,000
111	Other Capital Outlay of the Ministry of Finance	44,17,000	.	44,17,000 40

1	2	3		
		Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
No. of Vote	Services and purposes			
		Rs.	Rs.	Rs.
10	112 Capital Outlay on Grants to State Governments for Development	8,62,64,000		8,62,64,000
	113 Loans and Advances by the Central Government	86,53,57,000	1,42,97,00,000	2,29,50,57,000
	CHARGED.— <i>Repayment of Debt</i>	19,08,00,00,000	19,08,00,00,000
15	114 Purchase of Foodgrains and Fertilizers	1,44,70,64,000	17,000	1,44,70,81,000
	115 Other Capital Outlay of the Ministry of Food, Agriculture, Community Development and Co-operation	4,49,19,000	18,000	4,49,37,000
20	116 Capital Outlay of the Ministry of Health, Family Planning and Urban Development	2,63,43,000	..	2,63,43,000
25	117 Capital Outlay in Union Territories and Tribal Areas	3,94,59,000	21,50,000	4,16,90,000
	118 Other Capital Outlay of the Ministry of Home Affairs	12,53,000	..	12,53,000
	119 Capital Outlay of the Ministry of Industrial Development and Company Affairs	1,72,32,000	..	1,72,32,000
30	120 Capital Outlay of the Ministry of Information and Broadcasting	1,33,79,000	..	1,33,79,000
35	121 Capital Outlay on Multi-purpose River Schemes	2,97,29,000	..	2,97,29,000
	122 Other Capital Outlay of the Ministry of Irrigation and Power	2,62,69,000	..	2,62,69,000
	123 Capital Outlay of the Ministry of Labour, Employment and Rehabilitation	1,05,46,000	2,000	1,05,48,000
40	124 Capital Outlay of the Ministry of Petroleum and Chemicals	3,02,85,000	..	3,02,85,000
45	125 Capital Outlay of the Ministry of Steel, Mines and Metals	23,37,76,000	..	23,37,76,000
	126 Capital Outlay on Aviation	1,34,51,000	58,000	1,35,09,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total 5
		Rs.	Rs.	Rs.
127	Other Capital Outlay of the Ministry of Tourism and Civil Aviation	97,63,000		97,63,000
128	Capital Outlay on Roads . .	6,88,46,000	42,000	6,88,88,000 10
129	Capital Outlay on Ports . .	35,83,000	..	35,83,000
130	Other Capital Outlay of the Ministry of Transport and Shipping	46,61,000	..	46,61,000
131	Delhi Capital Outlay . . .	1,15,17,000	1,50,000	1,16,67,000 15
132	Capital Outlay on Public Works	1,24,17,000	83,000	1,25,00,000
133	Other Capital Outlay of the Ministry of Works, Housing and Supply	2,95,000		2,95,000 20
134	Capital Outlay of the Depart- ment of Atomic Energy . .	7,95,83,000	..	7,95,83,000
135	Capital Outlay on Posts and Telegraphs (Not met from Revenue)	10,25,25,000	..	10,25,25,000 25
136	Other Capital Outlay of the Department of Communi- cations	95,84,000	..	95,84,000
	GRAND TOTAL	7,36,85,55,000	22,03,89,87,000	29,40,75,42,000

ANNEXURE

DETAILS IN RESPECT OF DEFENCE SERVICES—EFFECTIVE, SPECIFIED IN
ITEM 5 OF THE SCHEDULE

	Sums not exceeding		
	Voted by Parliament	Charged on the Consolidated Fund	Total
	Rs.	Rs.	Rs.
Army (including Defence Production) .	1,18,11,57,000	1,43,000	1,18,13,00,000
Navy	6,36,93,000	7,000	6,37,00,000
Air Force . . .	28,02,17,000	17,000	28,02,34,000
	1,52,50,67,000	1,67,000	1,52,52,34,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 116 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made in advance by the Lok Sabha in respect of the estimated expenditure of the Central Government, excluding Railways, for a part of the financial year 1968-69.

MORARJI DESAI.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. F.3(9)-B/68, dated the 8th March, 1968 from Shri Morarji Desai, Deputy Prime Minister and Minister of Finance to the Secretary, Lok Sabha.]

The President having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1968-69, recommends under article 117(1) and (3) of the Constitution of India read with article 116(2) thereof, the introduction of the Appropriation (Vote on Account) Bill, 1968 in the Lok Sabha and also the consideration of the Bill.

2. The Bill will be introduced in the Lok Sabha immediately after the Demands for Grants, 'on account' for expenditure of the Central Government (excluding Railways) for the year 1968-69 have been voted.

BILL No. 8 OF 1968

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1968. Short title.

5 2. In article 16 of the Constitution, in clause (4), the following shall be added at the end, namely:— Amendment of article 16.

“and for providing employment, promotions, etc., to them”,

Substitu-
tion of
article 335.

3. For article 335 of the Constitution, the following article shall
be substituted, namely:—

Claims of
Scheduled
Castes,
Scheduled
Tribes and
other
backward
classes to
services
and posts.

“335. The claims of the members of the Scheduled Castes,
Scheduled Tribes and other backward classes shall be taken in-
to consideration in the making of appointments, providing em- 5
ployment and promotions to services and posts in connection
with the affairs of the Union or of a State”.

STATEMENT OF OBJECTS AND REASONS

In their judgement dated the 29th September, 1967 in the C.A. Rajandran *versus* the Union of India and others, the Supreme Court has held that article 16(4) does not confer any right on the petitioner and there is no constitutional duty imposed on the Government to make a reservation for Scheduled Caste and Scheduled Tribe candidates, either at the initial stage of recruitment or at the stage of promotion.

Although article 340(1) of the Constitution provides for the appointment of a Commission to investigate the conditions of socially and educationally backward classes within the territory of India and the difficulties under which they labour and to make recommendations as to the steps that should be taken by the Union or any State to remove such difficulties and to improve their conditions, nothing substantial has so far been done in this regard. It is, therefore, necessary to make specific provisions in the Constitution for such matters.

Hence the Bill.

NEW DELHI;
The 22nd January, 1968.

RAM SEWAK YADAV.

BILL No. 11 OF 1968

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

Short title. 1. This Act may be called the Constitution (Amendment) Act, 1968.

Amend-
ment of
article
75.

2. In article 75 of the Constitution, clause (2) shall be omitted.

3. In article 164 of the Constitution, in clause (1), the words "and the Ministers shall hold office during the pleasure of the Governor" shall be omitted.

Amend-
ment of
article
164.

STATEMENT OF OBJECTS AND REASONS

According to the established traditions and practices of parliamentary democracy and responsible Government, the Chief Executive of the State in India both in regard to the Union Government i.e., the President of the Republic and also in regard to Government of a State, i.e., the Governor, is to function as a constitutional head, who carries out the clearly expressed wishes of the majority in the popularly elected House of the Legislature. The functions of the President and the Governor are, therefore, exercised with the aid and advice of their Council of Ministers, who are collectively responsible to the popularly elected Legislature. This has been provided in the Constitution under articles 74(1), 75(1) and 75(3) in regard to the Centre and under articles 163(1), 164(1) and 164(2) in regard to the States. In this background, the power given by the Constitution to the President of the Republic, in regard to the appointment and dismissal of the Prime Minister and the Council of Ministers of the Union Government and the similar power given to Governors of States, in regard to the appointment and dismissal of the Chief Ministers and the Councils of Ministers of the State Governments, are clearly intended to be so exercised as to ensure the scrupulous reflection of the formally registered decision of the majority in Lok Sabha or the State Assembly, as the case may be. This logically implies that the tenure of office of the Council of Ministers in both cases is dependent on the will of the majority of the elected House of the Legislature i.e., Lok Sabha or the State Assembly concerned. The Council of Ministers must be dismissed from office only with a prior decision, registered in the House of the Legislature concerned and not, in any case, on the basis of a subjective judgment on the part of the Chief Executive of the State whether the President or the Governor of the State if the Council of Ministers has lost the confidence of the majority. In order to remove any misunderstanding or misinterpretation of the provisions of the Constitution in this regard, all references to the Council of Ministers holding office 'during the pleasure' of the President, or of the Governor, are sought to be deleted from articles 75 and 164 of the Constitution.

NEW DELHI;

TRIDIB CHAUDHURI.

The 11th February, 1968.

BILL No. 13 of 1968

A Bill to amend the Commissions of Inquiry Act, 1952.

BE it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Commissions of Inquiry (Amendment) Act, 1968.

Short title
and com-
mence-

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

end-
nt of
tion 3.

2. In section 3 of the Commissions of inquiry Act, 1952, to subsection (1), the following further proviso shall be added, namely:—

“Provided further that where the Central Government appoints a one-man Commission for the purpose of making an inquiry into any definite matter of public importance with reference to any member of the Council of Ministers of the Union or of any State, then such Commission shall consist of only a sitting or retired Judge of the Supreme Court of India.”

STATEMENT OF OBJECTS AND REASONS

The Commissions of Inquiry Act, 1952 was enacted in order to authorise the Government to appoint an inquiring authority on any matter of public importance, whenever considered necessary or when a demand to that effect is made in the House of the People or in Legislative Assembly of a State. If such an enquiry is with reference to any member of the Council of Ministers of the Union or of any State, then it is of much public importance and in order to inspire confidence it would be in fitness of things to entrust the same only to a person who has worked or is working as a Judge of the Supreme Court of India. Such entrustment is desirable inasmuch as a sitting or retired Judge of the Supreme Court can have no higher appointment or promotion whereas the possibility of allurements or of an offer of promotion to higher appointment cannot be ruled out for a person of a lesser status. With this object in view the appropriate amendment in the aforesaid Act is desirable.

Hence this Bill.

OM PRAKASH TYAGI.

NEW DELHI;
The 12th February, 1968.

S. L. SHAKDHER,
Secretary.

